



June 27, 2007

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

State of California Comments relative to the City of New York Petition for Reconsideration resulting from WT Docket No. 99-87/RM-9332 Third Report and Order (FCC 07-39)

Dear Ms. Dortch:

The State of California as represented by its Department of General Services, Telecommunications Division (hereinafter "STATE"), hereby submits the following comments regarding the referenced City of New York Petition for Reconsideration (hereinafter "NYC Petition").

The STATE concurs with the City of New York regarding the inappropriateness of mandating a public safety transition to 6.25 kHz narrowband technologies in the 150-174 MHz or 421-512 MHz bands anytime within the life-cycle period of 12.5 kHz technology deployments currently required to be completed by January 1, 2013. As the NYC Petition correctly observes "...without a reasoned migration to 6.25 kHz technology, the Commission's decision creates significant risk to public safety communications, threatens ongoing investment, and undermines interoperability...."

Whereas the STATE has long recognized that the transition to 12.5 kHz technologies is intended as an interim step, it is a consequential step for resource-strapped public safety entities. Transitioning to 12.5 kHz technologies and systems is non-trivial. The same is true for a later migration to 6.25 kHz technologies. Due to the budget restraints faced by most public safety entities, these transitions must take place over many years. California will consider standards-based 6.25 kHz technologies when they become available. However, all equipment that has been planned, purchased, and/or deployed prior to 6.25 kHz becoming available must be allowed to serve out a normal life-cycle which is normally considered to be at least 10 years.

The STATE supports the NYC Petition's suggestion that the FCC initiate a Further Notice of Proposed Rulemaking seeking public safety entity input regarding:

- the technical, financial, interoperability, and other challenges the transition to 6.25 kHz technologies will pose to public safety agencies, and
- a reasonable migration path to achieving a full transition to 6.25 kHz technology use in the 150-174 MHz or 421-512 MHz bands

If you have any questions regarding the proffered comments, please contact me either by email, phone, or mail employing the contact information below.

Respectfully submitted,

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